

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JASON GERNER,

Petitioner

v.

MICHAEL CARAVAJAL AND SHAWN
GRANT,

Respondent

CIVIL ACTION

NO. 22-1953

ORDER

AND NOW, this 10th day of February, 2023, upon careful and independent consideration of the Petition for Writ of Habeas Corpus (ECF No. 1), the Government's Response thereto (ECF No. 8), and after review of the Report and Recommendation of United States Magistrate Judge Scott W. Reid (ECF No. 12), **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus is **DISMISSED** for lack of jurisdiction; there is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.